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SUBJECT: HEFTY LIBEL JUDGMENT UPHELD FOR INDEPENDENT PAPER

Ref: 07 Minsk 1048

1. (SBU) A three judge appeal panel of Minsk's City Court upheld the December 20, 2007 verdict of libel against the independent newspaper "Novy Chas" (reftel). The panel left in place a BYR 50 million (USD 23,245) judgment against the paper and a BYR 1 million (USD 465) judgment against journalist Aleksandr Tamkovich for an article published in "Novy Chas" and deemed libelous of the speaker of the (appointed) upper house of Belarus' parliament, Nikolay Cherginets. The appellate hearing, which was open to the public and attended by Pol/Econ Chief, a diplomat from the Czech Embassy, and several members of Belarus' independent media community, lasted less than ninety minutes.

Comment

2. (SBU) Cherginets' absence from the courtroom, both during the original trial and the appeal, was noteworthy. One could suppose that a person whose honor had been offended by an alleged libel would defend his reputation in person; perhaps, in Cherginets' case, he was merely certain that Belarusian "justice" would see the matter his way. The refusal of the appeal was expected; the judgment -- about five months' operating budget for the paper -- threatens the viability of "Novy Chas."

Stewart